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OFFICES:
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September 16, 2002

Arthur Simon
Claims Officer
Dept. of Health & Human Services
Claims Branch
Room 5C-10, Parklawn Building
5600 Fishers Lane
Rockville, MD 20857

2002 SEP 17 P 1:46
PSC CLAIMS BRANCH
ROOM 5C-10
ROCKVILLE, MD

RECEIVED

RE: Nationwide Ins. V. Alphonso Saunders
Your Claim No.: 01-0317
Our File No.: 20827133
D/O/A: 2/15/00

Dear Mr. Simon:

Please be advised that the law firm of Marsden, Botsaris & Seledee, P.A. and Joel D. Seledee, Esquire represent Nationwide Insurance Company with regard to the above-captioned matter. In that regard, please find attached hereto Nationwide's executed correspondence authorizing Marsden, Botsaris & Seledee, P.A. and myself to act as their agent in connection with this matter.

I am writing as a follow up to your March 20, 2002 correspondence indicating that Nationwide's claim has been disallowed by the Department of Health & Human Services, and that the claim would be reconsidered if Nationwide were to resubmit its claim prior to September 20, 2002. Please let this correspondence, as well as the attached documentation, serve as Nationwide's claim resubmission.

As you know, on February 15, 2000, Alphonso Saunders was operating a motor-vehicle through the roadways of the National Institute of Health ("NIH") Compound in Bethesda, Maryland. In so doing, Mr. Saunders negligently backed his vehicle into the vehicle owned and occupied by Nationwide's insured, Aureliano Vasquez. At the time of the collision, Mr. Vasquez's vehicle was at a complete stop at a stop sign located within

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the NIH Compound. There was absolutely no negligence on the part of Mr. Vasquez. Furthermore, at all times relevant to the subject incident, Alphonso Saunders was acting as the agent and/or employee of the Department of Health and Human Services ("HHS"), and was acting within the foreseeable scope of said agency and or employment. Accordingly, under the laws of agency and/or the doctrine of Respondeat Superior, HHS is liable for the negligence of Alphonso Saunders.

As a result of the subject collision, Mr. Vasquez sustained substantial damage to his vehicle. Initially, a damage claim in the amount of \$4,029.13 was submitted by Nationwide to HHS for payment. However, it was subsequently determined that the damages to the hood and driver's side of Mr. Vasquez's vehicle were the result of an unrelated incident. Nationwide has since prepared a damage estimate reflecting only the damages sustained to Mr. Vasquea's vehicle as a result of the February 15, 2000 incident. That estimate, in the amount of \$3,018.61, has been attached hereto. Additionally, I have attached copies of photographs showing the damage to Mr. Vasquez's vehilce caused by the subject side-swipe collision. In that regard, please let this correspondence serve as Nationwide's demand for payment of \$3,018.61 as a result of the property damage caused by HHS employee, Alphonso Saunders.

Thank you for your cooperation in this matter. If you should have any questions, or should require any additional information, please do not hesitate to contact me.

Very truly yours,

Marsden, Botsaris & Seledee, P.A.


Joel D. Seledee

JDS/mj
Enclosures

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